

### **REMARKS**

Initially, in the Office Action, the Examiner has rejected claims 12 and 14-22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,726,383 (Geller et al).

By the present response, Applicant has amended claims 12, 17 and 22 to further clarify the invention. Claims 12 and 14-22 remain pending in the present application.

#### **35 U.S.C. § 102 Rejections**

Claims 12 and 14-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Geller et al. Applicant respectfully traverses these rejections.

Geller et al discloses a radiation shield for use with a mobile hand-held communication device, the communication device including a listening element and a stowable and deployable talking element, the radiation shield including a first shield portion which at least partially covers the talking element, a second shield portion which at least partially covers the listening element, a fastener which fastens the first and the second shield portions together, the first and the second shield portions and the talking element being in a stowed orientation when the first and the second shield portions are fastened together by the fastener, and a tensioning device operatively attached to at least one of the first and the second shield portions, wherein the tensioning device, upon opening of the fastener, applies a force to at least one of the first and the second shield portions which moves at least one of the first and the second shield portions into a deployed orientation.

Regarding claims 12, 17 and 24, Applicant submits that Geller et al does not disclose or suggest the limitations in the combination of each of these claims of, *inter alia*, a mobile phone structure that includes an impedance layer, the impedance layer being integrated into the housing of the mobile phone. The Examiner asserts that Geller et al discloses a metal and dielectric layer for a mobile phone in figures 2 and 3 and column 4, lines 8-15. However, these portions merely disclose a radiation

shield metalized layer sandwiched between at least two dielectric layers. Geller et al discloses a radiation shield for use with a mobile hand-held communication device (see abstract). In this regard, portions of the radiation shield are designed to cover or partially cover elements of the mobile hand-held communication device. For example, in Geller et al, radiation shield 12 includes a first shield portion 20 which at least partially covers talking element 16 and a second shield portion 22 which at least partially covers listening element 14 (see, col. 3 lines 17-21). This is not the impedance layer being integrated into the housing of the mobile phone, as cited in the claims of the present application. Geller et al discloses a radiation shield to be used with a mobile phone and is in a form to fit over the portions of the mobile hand-held communication device. In contrast, the limitations in the claims of the present application relate to an impedance layer being integrated into a housing of the mobile phone. Geller et al does not disclose or suggest these limitations in the claims of the present application.

Regarding claims 14-16 and 18-21, Applicant submits that these claims are dependent on one of independent claims 12 and 17 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.


Accordingly, Applicant submits that Geller et al does not disclose or suggest the limitations in the combination of each of claims 12 and 14-22 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that claims 12 and 14-22 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner has any questions about the present amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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